



05-1602

3743 #
#72

10/16/03
H

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Michael J. O'Donnell

Serial No.: 10/091,785 Group No.: 3743

Filed: March 6, 2002 Examiner: N/A

For: GAS BURNER

Docket No.: 14-526 C1

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RECEIVED

MAY 22 2003

TECHNOLOGY CENTER R3700

PRELIMINARY AMENDMENT TRANSMITTAL

1. Transmitted herewith is a preliminary amendment for approval by examiner for this application.

STATUS

2. Applicant is


XXX a small entity
_____ other than a small entity.

CERTIFICATE OF MAILING BY U.S. EXPRESS MAIL

I hereby certify that this Preliminary Amendment Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date May 15, 2003 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number E123937246 addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Laura Dupree

Name


Signature

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37CFR 1.136 apply.

(complete (a) or (b) as applicable)

(a) _____ Applicant petitions for an extension of time for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
_____	one month	\$ 110.00	\$ 55.00
_____	two months	410.00	205.00
_____	three months	930.00	465.00
_____	four months	1,450.00	7250.00

Fee \$ _____

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

_____ An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ _____

OR

(b) XXX Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		Small Entity	Other than a Small Entity
Claims Remaining After Amendment		Highest No. Previously Paid for		Present EXTRA	Rate	Addit. Fee	Addit. Fee
TOTAL	21	MINUS	20	=	1	x 9 = \$9.00	x 18 = \$
INDEP.	6	MINUS	3	=	3	x 42 = \$126.00	x 84 = \$
_____ First Presentation of Multiple Dep. Claim					x 125 = \$	x 250 = \$	
				Total	\$135.00	or	Total \$

* If the Highest No. Previously Paid for in this space is less than 20, enter "20".

** If the Highest No. Previously Paid for in this space is less than 3, enter "3".

(c) _____ No additional fee is required

OR

(d) XX Total additional fee required \$ 135.00

FEE PAYMENT

5. XXX Attached is a check in the sum of \$ 135.00
 Charge Account No. 23-0630 in the sum of \$ _____


Fee Deficiency

6. XXX If any additional extension and/or fee is required, this is the request therefor and to charge Account No. 23-0630

And/Or

XXX If any additional fee for claims is required, charge Account No. 23-0630.

Reg. No.: 29,076


Signature of Attorney

Tel. No.: (216) 241-6700
Fax No.: (216) 241-8151

John R. Hlavka
Type or Print Name of Attorney

WATTS, HOFFMANN, FISHER & HEINKE
P.O. Box 99839
Cleveland, OH 44199-0839



RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAY 22 2003

TECHNOLOGY CENTER R3700

In Re Application of: Michael J. O'Donnell

Serial No.: 10/091,785

Group Art Unit: 3743

Filing Date: March 6, 2002

Examiner: N/A

For: GAS BURNER

Docket No.: 14-526 C1

Watts, Hoffmann, Fisher
& Heinke Co., L.P.A.
P.O. Box 99839
Cleveland, Ohio 44199-0839

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

PRELIMINARY AMENDMENT

Express Mail Label No. E123937294465
I hereby certify that this paper is being deposited today
in the U.S. Postal Service as Express Mail addressed
to the Assistant Commissioner for Patents, P.O. Box 1450,
Alexandria, VA 22313-1450

Prior to examination of the subject application, please amend the application as follows:

In the Claims:

B1 6. (Amended) The method of claim 5, further comprising the steps of using said
lancing tool to create additional rows of ports in said tubular body.

Please add the following new claims:

- B2 11. A gas burner comprising:
- a) an elongate, generally cylindrical sheet metal body having an inlet end and a closed distal end and a tubular segment extending between said ends;
 - b) said inlet end including an integrally formed gas orifice holder, said holder mounting a gas orifice element;
 - c) said inlet end further formed to define at least one primary air opening arranged to admit primary air into said tubular segment;
 - d) a plurality of flame ports defined in said tubular segment downstream from said inlet end, at least some of said flame ports being formed by partially punching through a wall of said tubular segment leaving an inwardly bent tab, the effective opening of said some flame ports being determined by an extent to which said tab is bent; and,

05/19/2003 FFAHAEIA 00000020 10091785

01 FC:2201
02 FC:2202

126.00 OP
9.00 OP